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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,665	04/27/2000	DAVID WILKINS	AND1P597	4368

29838 7590 03/05/2004

OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)  
PLAZA VII, SUITE 3300  
45 SOUTH SEVENTH STREET  
MINNEAPOLIS, MN 55402-1609

EXAMINER
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OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

09/560,665

Applicant(s)

WILKINS ET AL.

Examiner

Jonathan Ouellette

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-7,9-12,14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-12,14 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. The Request filed on 1/16/2004 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/560,665 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Response to Amendment***

2. Claims 3, 8, and 13 have been cancelled; therefore, Claims 1, 2, 4-7, 9-12, 14, and 15 are pending in application 09/560,665.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 1, 2, 4-7, 9-12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Polk (US 5,946,669) in view of Single Parent Central (www.singleparentcentral.com, Retrieved from Internet Archive Wayback Machine <www.archive.org>, date range: 10/13/1999-1/19/2000).**

5. As per independent Claims 1, 6, and 11, Polk discloses a method (computer program, system) for providing a network-based child financial support framework, comprising the steps of: (a) maintaining a database including information on a received financial support payment utilizing a network (200); (b) providing general information relating to the financial support payment utilizing the network; and (d) displaying a history associated with the financial support payment (Abstract, Figs.7-9b, C9 L34-52, C10 L32-46).
6. Polk fails to expressly disclose wherein the network-based child financial support framework is used for facilitating communication between employers, custodial parents, and non-custodial parents.
7. However, this element is simply a *use* for the claimed invention and` holds no patentable merit in the claims.
8. Polk also fails to expressly disclose (c) calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the profile is received from the database, and wherein the user may change the data in the second portion of the profile.
9. However, Single Parent Central teaches the use of a Child Support Calculator through a child support information resource website ([www.singleparentcentral.com](http://www.singleparentcentral.com)).
10. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included calculating a proper amount of the financial support

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payment based on a profile of a user, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, and wherein the user may change the data in the profile, as disclosed by Single Parent Central in the system disclosed by Polk, for the advantage of providing a method for providing a network-based child financial support information site, with the ability to give the parents tailored financial information.

11. As per Claims 2, 7, and 12, Polk and Single Parent Central disclose wherein the network includes the Internet.
12. As per Claims 4, 9, and 14, Polk and Single Parent Central disclose wherein the history includes a date (Polk: Fig.9b), an amount received on the date (Polk: Fig.9b), and a disbursement of the amount received (Polk: 725) to the custodial parent (Polk: recipient 250).
13. Although neither Polk nor Single Parent Central expressly disclose displaying an amount retained of the amount received, it is inherent in the system disclosed by Polk, that if the amount received and the disbursement amount are tracked, then the amount retained is also tracked, because it is a function of the amount received and the disbursement amount.
14. As per Claims 5, 10, and 15, Polk and Single Parent Central disclose presenting a plurality of frequently asked questions relating to the financial support payment ([www.singleparentcentral.com](http://www.singleparentcentral.com)).

#### ***Response to Arguments***

15. Applicant's arguments filed 1/16/2004, with respect to Claims 1, 2, 4-7, 9-12, 14, and 15, have been fully considered but they are not persuasive.

16. The Applicant has made the argument that the cited prior art of Polk in view of Single Parent Central fail to disclose calculating a proper amount of the Financial Support Payment Based on a user profile.
17. However, Polk does disclose wherein the State tracks the amount of support paid by the non-custodial parent (C15 L54-59), and wherein the State and/or the system intermediary calculate the proper amount of financial support payment due (figs.17-20, C17 L57-66, C19, L63-67),
18. Furthermore, as explained above, Single Parent Central discloses a Child Support Calculator (pgs.8-9), which is based on a wide variety of non-custodial and custodial information.
19. Finally, the independent claims have been amended to reflect a support calculator, which is based on an amount paid to date from a non-custodial parent. However, the Calculator described in the specification and shown in Fig.16, does not include an amount paid to date from a non-custodial parent, and is very similar to the calculator disclosed by Single Parent Central.
20. The Applicant has also made the argument that the prior art of Polk in view of Single Parent Central fails to disclose wherein a user profile received from both a user and a database and allowing he user to change the portion of the profile in the database.
21. However, Polk does disclose receiving payment information from the user (first portion of profile) (C14 L21-30, C15 L8-36) and matching it up with the information in the database (second portion of the profile) (C14 L48-57, C15 L36-60).

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22. Polk also discloses wherein the user can authorize (change) withholding information by completing a salary withholding order, which is then converted to a FEDI file by the employer (C15 L7-59, C11 L21-39).
23. Finally, The applicant states that there is no suggestion or motivation to modify the reference to achieve the aforementioned missing limitations.
24. In response to applicant's argument that there is no suggestion to combine/modify the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Polk does disclose tracking and calculating child support, and Single Parent Central (child support calculator) simply discloses a format for calculating child support based on user information.

### ***Conclusion***

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization

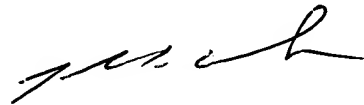
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where this application or proceeding is assigned (703) 872-9306 for all official communications.

27. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

A handwritten signature in black ink, appearing to be "jo".

jo  
March 2, 2004

A handwritten signature in black ink, appearing to be "John G. Weiss".

JOHN G. WEISS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600